



October 5, 2015

VIA ECFS

Ms. Marlene Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, D.C. 20554

Re: Written *Ex Parte* Presentation – Use of Spectrum Bands Above 24 GHz For Mobile Radio Services; Petition for Rulemaking of the Fixed Wireless Communications Coalition to Create Service Rules for the 42-43.5 GHz Band; GN Docket No. 14-177 and RM-11664

Dear Ms. Dortch:

The Satellite Industry Association (“SIA”)¹ urges the Commission to adopt proposals in the above-referenced proceeding that would provide expanded opportunities for fixed-satellite service (“FSS”) operations in the 27.5-28.35 GHz band. Given that the Commission is considering significant possible changes to the parameters for terrestrial use in this band, SIA believes that it also would be in the

¹ SIA is a U.S.-based trade association providing representation of the leading satellite operators, service providers, manufacturers, launch services providers, and ground equipment suppliers. Since its creation twenty years ago, SIA has advocated on behalf of the U.S. satellite industry on policy, regulatory, and legislative issues affecting the satellite business. For more information, visit www.sia.org. SIA Executive Members include: The Boeing Company; The DIRECTV Group; EchoStar Corporation; Intelsat S.A.; Iridium Communications Inc.; Kratos Defense & Security Solutions; LightSquared; Lockheed Martin Corporation; Northrop Grumman Corporation; SES Americom, Inc.; SSL; and ViaSat, Inc. SIA Associate Members include: ABS US Corp.; Airbus DS SatCom Government, Inc.; Artel, LLC; Cisco; Comtech EF Data Corp.; DRS Technologies, Inc.; Eutelsat America Corp.; Glowlink Communications Technology, Inc.; Hughes; iDirect Government Technologies; Inmarsat, Inc.; Kymeta Corporation; Marshall Communications Corporation.; MTN Government; O3b Limited; Orbital ATK; OneWeb; Panasonic Avionics Corporation; Row 44, Inc.; TeleCommunication Systems, Inc.; Telesat Canada; TrustComm, Inc.; Ultisat, Inc.; Vencore Inc.; and XTAR, LLC.

public interest to consider ways to ensure continued access to this spectrum by FSS networks and promote expanded deployment of the essential services being provided in the Ka-band today.

Based on the existing regulatory framework, satellite operators have been able to make robust and efficient use of the 27.5-28.35 GHz band for earth station uplinks and have demonstrated their ability to operate such facilities without causing harmful interference to Local Multipoint Distribution Service (“LMDS”) operations.² FSS operators have made significant investments in their networks and system designs for future deployment in reliance on this sharing regime and the Commission precedent that has enabled their access to the 27.5-28.35 GHz band.

As the Commission contemplates opening this band for 5G mobile services, SIA urges the Commission to recognize the important benefits of the satellite services being provided today in spectrum above 24 GHz and to reexamine the premises underlying the current service designations in the 27.5-28.35 GHz band in light of technology and marketplace developments over the past twenty years. Satellite operators have already shown that they are capable of operating certain earth stations in the lower LMDS band without causing harmful interference to existing LMDS facilities. Affording co-primary status for such operations would provide satellite operators much-needed certainty that their investments in significant earth station facilities will be protected against the impact of terrestrial operations in the band.

Moreover, the Commission should revisit the dated assumptions regarding the feasibility of operating other types of FSS earth station terminals in this band. When the Commission originally adopted the current Ka-band band plan designations in 1997, the Commission acknowledged that future technologies could be developed to facilitate sharing with such terminals.³ As SIA recommended in a recent filing, the Commission should explore in this proceeding whether any sharing techniques or technologies have been developed since the current band plan designations were adopted twenty years ago that now would facilitate the ability of FSS earth station uplinks to operate without interfering with terrestrial networks.

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² See Inmarsat Mobile Networks, Inc., IBFS File No. SES-LIC-20120426-00397 (Call Sign E120072). *See also* Comments of O3b, Spectrum Frontiers Proceeding, at 8 (filed Jan. 15, 2015) (“O3b’s Network Operations Center, which serves O3b customers worldwide while monitoring and maintaining the O3b constellation, has operated in Bristow, VA in [the 27.5-28.35 GHz] frequencies since 2012 without a single interference incident.”).

³ *Rulemaking to Amend Parts 1, 2, 21, and 25 of the Commission’s Rules to Redesignate the 27.5-29.5 GHz Frequency Band, to Reallocate the 29.5-30.0 GHz Frequency Band, to Establish Rules and Policies for Local Multipoint Distribution Service and for Fixed Satellite Services*, First Report and Order, 11 FCC Rcd 19005 ¶ 27 (1996).

For the foregoing reasons, SIA respectfully requests that the Commission explore proposals to give certainty to and expand opportunities for FSS operations in the 27.5-28.35 GHz band as it considers future uses of this band.

Respectfully submitted,

SATELLITE INDUSTRY ASSOCIATION

By: /s/ Tom Stroup

Tom Stroup
President
1200 18th Street, N.W., Suite 1001
Washington, D.C. 20036
(202) 503-1560